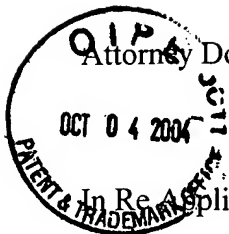


JPW



Attorney Docket No.: 42P15677

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Scott A. Hareland et al.

Application No: 10/607,632

Filed: June 27, 2003

For: NONPLANAR DEVICE WITH
STRESS INCORPORATION LAYER
AND METHOD OF FABRICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

) Examiner: Pham, Hoai V.

) Art Unit: 2814

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

on October 1, 2004
Date of Deposit

Christopher P. Marshall
Name of Person Mailing Correspondence
C.P. Marshall 10/1/2004
Signature Date

AMENDMENT AND RESPONSE

Dear Sir:

This is in response to the Office Action mailed July 26, 2004. A telephone call was made to Examiner Hoai V. Pham. Examiner corrected the office action mailed July 26, 2004, changing the stated period for reply from two (2) months to three (3) months. Therefore, a one month extension of time pursuant to 37 C.F.R. §1.136(a) is not required. Applicants respectfully request the Examiner to enter the following amendments and consider the following remarks.

10/06/2004 HALI11 00000031 10607632

01 FC:1202 36.00 OP
02 FC:1201 176.00 OP